

1982 WL 189317 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 10, 1982

\*1 Mr. Kinsey J. H. Jenkins, Jr.  
Senior Assistant Comptroller General  
Office of the Comptroller General  
P. O. Box 11228  
Columbia, South Carolina 29211

Dear Kinsey:

Your letter of May 14, 1982, to Deputy Attorney General Frank K. Sloan has been referred to me for an appropriate response. As you will recall, I discussed the questions raised in your letter with you by telephone, and it now appears that there are only two questions that you wish an answer to:

1. Does Section 17 override other statutes and regulations which authorize higher interest rates for late payment charges?
2. Are current statutes and regulations which require payment in less than thirty days overridden by Section 17?

Since your letter did not refer to specific Code sections which you believe might conflict with Section 17, I could not examine Act No. 148 of 1981 to determine if such sections had been specifically repealed by this act. However, as a general rule of statutory construction, the last act of the Legislature is the law and has the effect of repealing all prior inconsistent laws. [Garey v. City of Myrtle Beach, 263 S.C. 247, 209 S.E.2d 893 \(1974\)](#). Therefore, if there is an irreconcilable conflict between the provisions of a current statute or regulation and Act No. 148 of 1981, it will be deemed that Act No. 148 repealed the prior statute by implication.

If you should need any further information, please do not hesitate to contact me.

Very truly yours,

Richard B. Kale, Jr.  
Senior Assistant Attorney General

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